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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/620,781	07/21/2000	Greg Benson	MEDIDNA.018C1	3981

7590

04/07/2003

Frank Nguyen, General Counsel
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EXAMINER

DUONG, OANH L

ART UNIT	PAPER NUMBER
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2155

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DATE MAILED: 04/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/620,781

Applicant(s)

BENSON ET AL.

Examiner

Oanh L. Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claims 1-23 are presented for examination.

1. Applicant's arguments filed on 01/29/2003 have been fully considered but they are not persuasive.

Response to Arguments

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the reason to include providing control object and performing the action specified by the control object along with intercepting communication data is to allow the provider to protect integrity of corresponding content during use of and/or access to the content and allow only authorized users access to the resources based on the control rights embedded in digital object so as to increase the security for the system.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-12, 14-16 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahuja et al. (Ahuja) (USPN 6,175,869) in view of Hall et al. (Hall) (USPN 6,138,119).

Regarding claim 1, Ahuja discloses a method of intercepting a data communication between two applications in a computer environment (see fig. 4), the method comprising intercepting a data communication between a first application and a second application without changing the functionality of the first application and second application (see col. 8 lines 3-14); and providing a digital object created by the second application (see col. 7 lines 31-51). Ahuja does not teach the control object and performing by the control object as claimed. However, Hall teaches providing a control object capable of specifying an action depending on the data communication (see col. 18 lines 17-59); and performing the action specified by the control object on the digital object (see col. 15 lines 41-67 and col. 20 lines 5-59). Therefore, it would have been obvious to have used the control object in Ahuja as taught by Hall because it would provide a way to state rules about an associated digital object and control the usage of

digital object based upon control information specified by the rule as so to improve ability of controlling usage of resources.

Regarding claim 2, Ahuja discloses the first and second applications communicate via predetermined communication channel (see col. 2 lines 16-25).

Regarding claim 3, Ahuja discloses re-directing the data communication to a third application (see col. 3 lines 10-12).

Regarding claim 4, Ahuja discloses monitoring communication (see col. 2 lines 25-42).

Regarding claim 5, Ahuja discloses auditing user actions taken on a digital object by recording the type of action and frequency of that action (see col. 2 lines 25-31).

Regarding claim 6, Ahuja discloses computing efficiency of the first application or the second application for performance certain user actions (see col. 2 lines 32-36 and lines 64-66).

Regarding claim 7, Ahuja discloses augmenting information to the data communication (see col. 8 lines 11-14).

Regarding claims 8 and 9, Ahuja discloses authorizing user access and use digital object (see col. 8 lines 32-46).

Regarding claims 10 and 11, Ahuja discloses activating purchase requirements for user access and use the second application including presenting a display screen whereby the user can confirm a previous payment or purchase control rights for access and use of the second application (see col. 5 lines 23-25).

Regarding claim 12, Ahuja discloses displaying advertisements upon particular application communications (see col. 10 lines 1-13).

Regarding claim 14, Ahuja discloses rendering audible or feedback to user actions implemented on the digital object or the second application (see col. 7 lines 49-51).

Regarding claim 15, Ahuja discloses archiving a history of the user actions implemented on the digital object or the second application (see col. 2 lines 25-28).

Regarding claim 16, Ahuja discloses customizing the user assistance program based on information related to the data communication and collected by the control object, wherein the use assistance program can render audible or visual feedback to a user when one or more pre-determined user actions are repeated (see col. 3 lines 3-8).

Regarding claim 19, Ahuja discloses a method comprising providing a digital object created by a document server application in communication with the hosting application (see col. 7 lines 31-51); intercepting user actions by an intercept application (see col. 8 lines 3-14); and monitoring user actions intercepted by the intercept application (see col. 2 lines 25-42 and col. 13 lines 36-38). Ahuja does not teach to read the control rights and authorizing a user as claimed. However, Hall teaches activating the control object to open the digital object and to read the control rights associated with the digital object (col. 17 lines 33-42); and authorizing a user to implement actions on the digital object according to the control rights (see col. 17 lines 2-42). Therefore, it would have been obvious to have used the control rights in Ahuja as taught by Hall

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because it would allow only authorized users access to the resources as so to increase security for the system.

Regarding claim 20, Ahuja discloses the hosting application comprises an Internet browser application (see col. 8 lines 15-16).

Regarding claim 21, Ahuja discloses a document server application associated with the creation of the digital object (see col. 7 lines 31-51); and an intercept application which mimics the functionality of the document server application and performs the user actions on the digital object (see col. 8 lines 3-31). Ahuja does not teach the control rights as claimed. However, Hall teaches control object which monitors a plurality of user actions and authorizes implementation of the user actions on the digital object according to the control rights (see col. 17 lines 2-12); a hosting application which activates the control object to open the digital object and to read the control rights associated with the digital object (col. 17 lines 33-42). Therefore, it would have been obvious to have used the control rights in Ahuja as taught by Hall because it would allow only authorized users access to the resources based on the control rights embedded in digital object as so to increase security for the system.

3. Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ahuja et al. (Ahuja) (USPN 6,175,869) in view of Hall et al. (Hall) (USPN 6,138,119) in further view of Ramstrom et al (Ramstrom) (USPN 5,960,004).

Regarding claim 13, the combination of teachings of Ahuja and Hall does not teaching helping program as claimed. However, Ramstrom teaches executing help

program on specific application communications (see col. 11 lines 32-42). Therefore, it would have been obvious to have used the help program in the combination of teachings of Ahuja and Hall as taught by Ramstrom because it would assist users in making efficient use of the facilities which are available.

4. Claims 17, 18, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahuja et al. (Ahuja) (USPN 6,175,869) in view of Hall et al. (Hall) (USPN 6,138,119) in further view of Knapton, III (Knapton) (USPN 6,363,486).

Regarding claims 17 and 22, Ahuja discloses a method comprising providing an intercept application which intercept user actions sent from the hosting application (see col. 8 lines 3-14); providing an external control agent which monitor the user actions intercepted by the intercept application (see col. 2 lines 25-31 and col. 13 lines 36-38); designating an application associated with the creation of the digital object as the document server application (see col. 7 lines 31-37); designating the intercept application as the active document server of the digital object (see col. 5 lines 8-20 and col. 8 lines 3-14); sending editing user actions from the intercept application to the external agent whereby the editing user actions are to be monitored by the external control agent (see col. 2 lines 25-42). Ahuja does not disclose the rules as claimed. However, Hall teaches providing rules of usage of the digital object (see col. 17 lines 12-23); activating the external control agent to open the digital object and to read the rules that are associated with the digital object (col. 17 lines 33-42); and opening of the digital object (see col. 2 lines 18-42). Therefore, it would have been obvious to have

used the rule in Ahuja as taught by Hall because it would provide a way to state rules about associated digital object and control the usage of digital object based upon control information specified by the rule as so to improve ability of controlling usage of resources. The combination of teachings of Ahuja and Hall does not teach registering the application with an operating system. However, Knapton teaches registering the application with an operating system (see col. 1 lines 23-42 and cols. 3-4 lines 59-1). Therefore, it would have been obvious to have used the registering step in the combination of teachings of Ahuja and Hall as taught by Knapton because registration information for authorized components is stored in registry and the registry provides a way for a component to advice the application program about the component's functionality.

Regarding claims 18 and 23, Ahuja discloses the hosting application comprises an Internet browser application (see col. 8 lines 15-16).

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (703) 305-0295. The examiner can normally be reached on Monday through Friday, 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aayaz sheikh can be reached on (703) 305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

od

O.D
April 4, 2003


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
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